REMARKS

The Office Action mailed July 9, 2007, and made final, has been carefully reviewed and the foregoing amendment and following remarks have been made in consequence thereof.

Claims 1-27 are now pending in this application. Claims 1-9 have been withdrawn. Claims 10-27 stand rejected.

The rejection of Claims 10, 11, 13, 14, 18-20, 22, 23 and 27 under 35 U.S.C. § 102(b) as being anticipated by Gonyea et al. (U.S. Pub. No. 2001/0032109) ("Gonyea") is respectfully traversed.

Gonyea describes a system (28) for predicting a maintenance schedule (64) and associated maintenance costs (66) for future service events to be performed on a product (38). A plurality of components (34) and sub-components (38) are included in each product (38). The system (28) includes a local computer (10) that is coupled in communication to a server computer (15) using a network (13). The server computer (15) is also coupled to a database (26) for the storage and retrieval of data relating to predicting the maintenance schedules (64) and costs (66). Specifically, the system (28) predicts the maintenance schedule (64) and costs (66) of future service events of the product (38) to be performed. Operating condition data (50) is input into the system (28) by the owner of the product (32). The operating conditions data (50) include the actual time the product (32) is in use and the details of the operating environment. Alternatively, the operating conditions data (50) may include forecasted values that may be used for estimation purposes.

The system (28) computes the costs and prices associated with the event including those for parts, services, repairs and risks for every event in the schedule. More specifically, such computing includes sequentially simulating the execution of each event in the schedule. Moreover, for each event in the schedule, a multi-step logical function is used to compute the costs and prices. The logical function includes the steps of: determining which parts need to be replaced, verifying if spare/replacement parts are available in the inventory pools, determining if any new spare parts must be purchased, scheduling the parts removed from a unit for repair and/or refurbishment if required, determining which services need to be performed during the event, estimating risks associated with the event, and computing costs

and prices associated with the event including those associated with parts, services, repairs, and risks. Notably Gonyea does not describe nor suggest receiving, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component.

Claim 10 recites a network based system for maintaining at least one component, said system comprising "a client system . . . a centralized database for storing information . . . a server system configured to be coupled to said client system and said database, said server system further configured to . . . receive, at the database, component operational history data and component inspection data from a user for a pre-identified component . . . receive, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompt a user to input a pre-determined component operational forecast into the database . . . analyze component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generate a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Gonyea does not describe nor suggest a network based system for maintaining at least one component, as is recited in Claim 10. Specifically, Gonyea does not describe nor suggest a server configured to receive, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and computing the costs and prices based the determined factors.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 10 is patentable over Gonyea.

Claims 11, 13, 14 and 18 depend from independent Claim 10. When the recitations of Claims 11, 13, 14 and 18 are considered in combination with the recitations of Claim 10, Applicants respectfully submit that dependent Claims 11, 13, 14 and 18 likewise are patentable over Gonyea.

Claim 19 recites a computer program embodied on a computer readable medium for maintaining at least one component, said program comprising a code segment that receives, at a database, component operational history data and component inspection data from a user for a pre-identified component and then "receives, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompts a user to input a pre-determined component operational forecast into the database . . . analyzes component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generates a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Gonyea does not describe nor suggest a computer program embodied on a computer readable medium for maintaining at least one component, as is recited in Claim 19. Specifically, Gonyea does not describe nor suggest a computer program that receives, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with a pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and computing the costs and prices based the determined factors.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 19 is patentable over Gonyea.

Claims 20, 22, 23 and 27 depend from independent Claim 19. When the recitations of Claims 20, 22, 23 and 27 are considered in combination with the recitations of Claim 19,

Applicants respectfully submit that dependent Claims 20, 22, 23 and 27 likewise are patentable over Gonyea.

With respect to Claims 11 and 20, Applicants respectfully traverse the interpretation of Gonyea on page 10 of the Office Action that "a listed item on the parts lists [is] an identified component." In contrast to such an interpretation, Gonyea describes that "product data 30 includes data relating to parts list 32 that detail the components 34 and sub-components 36 that make up each unit or product 38 for which a service contract may be desired." Paragraph 19, lines 6-9. Accordingly, Gonyea does not describe nor suggest that the components (34) and/or the sub-components (36) are an online catalog including pre-stored data for a plurality of pre-identified components.

Furthermore, with respect to Claims 11 and 20, Applicants respectfully traverse the interpretation of Gonyea on page 10 of the Office Action that "an online database having lists and files relating to parts list detail [is] an online catalog." In contrast to such an interpretation, Gonyea describes that database 26 includes files having lists and tables, among other forms of data . . . [f]or example, product data 30 ...." Paragraph 19, lines 1-6. Accordingly, Gonyea does not describe nor suggest files having lists and tables include an online catalog having pre-stored data for a plurality of pre-identified components.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 10, 11, 13, 14, 18-20, 22, 23 and 27 be withdrawn.

The rejection of Claims 12 and 21 under 35 U.S.C. § 103(a) as being anticipated by Gonyea in view of the Examiner's Official Notice, as supported by Herz et al. (U.S. Pub. No. 2001/0014868) ("Herz") and by Tsunoda et al. (JP 2002-149861) ("Tsunoda"), is respectfully traversed.

Gonyea is described above. The Examiner took Official Notice that "determining a discount to a customer for replacement costs and vendor fees is old and well known in the art of service contract bidding." However, the Official Notice does not describe nor suggest determining component maintenance event contingency fees and determining a customer cost discount level for replacement parts and vendor fees. Furthermore, the Official Notice does not describe nor suggest receiving, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the

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costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component.

On pages 5 and 6 of the Office Action, it was asserted that the Official Notice is supported by Herz and Tsunoda. Applicants respectfully traverse this assertion because neither Herz nor Tsunoda describes nor suggests determining a discount to a customer *for replacement costs and vendor fees*, as is asserted by the Examiner. Rather, Herz describes advertising a high list price for an item but furnishing discount coupons to selected customers, and Tsunoda describes calculating and presenting a discount price for a commodity to a continuously ordering customer to entice the customer into replacing commodities and/or parts and/or purchasing expendable supplies. As such, neither Herz nor Tsunoda, considered alone or in combination, describes nor suggests determining a discount to a customer for replacement costs and vendor fees. Because the cited references do not support the Official Notice, Applicants traverse the Official Notice and submit that it is not old and well-known in the art to determine a customer cost discount level for *replacement* parts and vendor fees. Accordingly, Applicants submit that the Official Notice taken in the Office Action is improper.

Furthermore, Applicants traverse the assertion on page 6 of the Office Action that "due to the failure of Applicant to traverse and properly traverse the findings of the Official Notice in all applicable claims in the Office action mailed 03/07/2007 and the failure to request documentary evidence, these findings are considered admitted prior art." Rather, Applicants submit that, in response to the Office Action mailed March 7, 2007, a statement was made that the noticed fact was not considered to be common knowledge or well-known in the art because "the Official Notice provided in the Office Action does not include facts that are capable of instant and unquestionable demonstration as to defy dispute." Applicants' Amendment mailed April 17, 2007, page 14. More specifically, in response to the conclusory assertion in the Official Notice that "it would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Gonyea to include determining customer cost discount level for replacement parts and vendor fees in order to provide an incentive to a potential client to use the service of a vendor" (Office Action mailed March 2, 2007, page 8), Applicants asserted in the Amendment of April 17, 2007, that such a statement "is not a fact that is capable of instant and unquestionable demonstration as to defy dispute" (Applicants' response filed on April 17, 2007, page 14). Accordingly, Applicants

have stated in their reasonings of the Amendment filed on April 17, 2007 and the present Amendment, why the findings of the Official Noticed are not considered to be common knowledge or well-known in the art. As such, Applicants submit that it is improper to take the Official Notice to be admitted prior art.

Accordingly, Applicants respectfully request documentary evidence that supports the Official Notice and request that the Official Notice not be taken as admitted prior art.

Claim 10 recites a network based system for maintaining at least one component, said system comprising "a client system . . . a centralized database for storing information . . . a server system configured to be coupled to said client system and said database, said server system further configured to . . . receive, at the database, component operational history data and component inspection data from a user for a pre-identified component . . . receive, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompt a user to input a pre-determined component operational forecast into the database . . . analyze component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generate a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a network based system for maintaining at least one component, as is recited in Claim 10. More specifically, neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a server configured to receive, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and computing the costs and prices

based the determined factors. The Examiner's Official Notice, as supported by Herz and Tsunoda, merely describes providing discounts to selected customers.

Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Gonyea in view of the Examiner's Official Notice.

Claim 12 depends from independent Claim 10. When the recitations of Claim 12 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claim 12 likewise is patentable over Gonyea in view of the Examiner's Official Notice.

Claim 19 recites a computer program embodied on a computer readable medium for maintaining at least one component, said program comprising a code segment that receives, at a database, component operational history data and component inspection data from a user for a pre-identified component and then "receives, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompts a user to input a pre-determined component operational forecast into the database . . . analyzes component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generates a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a computer program embodied on a computer readable medium for maintaining at least one component, as is recited in Claim 19. More specifically, neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a computer program that receives, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with a pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and

computing the costs and prices based the determined factors. The Examiner's Official Notice, as supported by Herz and Tsunoda, merely describes providing discounts to selected customers.

Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Gonyea in view of the Examiner 's Official Notice.

Claim 21 depends from independent Claim 19. When the recitations of Claim 21 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claim 21 likewise is patentable over Gonyea in view of the Examiner's Official Notice.

Moreover, in contrast to the assertions in the Office Action, Applicants respectfully submit that it would not have been obvious to one skilled in the art to combine the teachings of Gonyea with the findings of the Official Notice to arrive at the present invention. More specifically, Applicants submit that Gonyea teaches away from the present invention. If art "teaches away" from a claimed invention, such a teaching supports the nonobviousness of the invention. U.S. v. Adams, 148 USPQ 479 (1966); Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d 1923, 1927 (Fed. Cir. 1990). In light of this standard, it is respectfully submitted that the cited art, as a whole, is not suggestive of the presently claimed invention. More specifically, Gonyea is directed to a multi-step logical function to determine costs and prices by using a detailed schedule having a plurality of variables. As such, one of ordinary skill in the art would not look to Gonyea, which uses a multi-step logical function, to arrive at the presently pending claims, which recite that "the costs . . . are determined *using pre-stored costs* related to the pre-identified component" (emphasis added). The Examiner's Official Notice is directed to providing discounts to selected customers. Accordingly, Applicants respectfully submit that the cited art as a whole teaches away from the claimed invention.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 12 and 21 be withdrawn.

The rejection of Claims 15, 16, 24, and 25 under 35 U.S.C. § 103(a) as being anticipated by Gonyea in view of the Examiner's Official Notice is respectfully traversed.

Gonyea is described above. On page 14 of the Office Action, the Examiner took Official Notice that "prompting a user to enter data is old and well known in the art of database management." However, the Official Notice does not describe nor suggest a server

configured to prompt a user to input a pre-determined component operating forecast into the database. Furthermore, the Official Notice does not describe nor suggest receiving, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component.

Claim 10 recites a network based system for maintaining at least one component, said system comprising "a client system . . . a centralized database for storing information . . . a server system configured to be coupled to said client system and said database, said server system further configured to . . . receive, at the database, component operational history data and component inspection data from a user for a pre-identified component . . . receive, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompt a user to input a pre-determined component operational forecast into the database . . . analyze component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generate a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a network based system for maintaining at least one component, as is recited in Claim 10. More specifically, neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a server configured to receive, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and computing the costs and prices based the determined factors. The Examiner's Official Notice merely describes that

prompting a user to enter general data is old and well known in the art of database management.

Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Gonyea in view of the Examiner's Official Notice.

Claims 15 and 16 depend from independent Claim 10. When the recitations of Claims 15 and 16 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 15 and 16 likewise are patentable over Gonyea in view of the Examiner's Official Notice.

Claim 19 recites a computer program embodied on a computer readable medium for maintaining at least one component, said program comprising a code segment that receives, at a database, component operational history data and component inspection data from a user for a pre-identified component and then "receives, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompts a user to input a pre-determined component operational forecast into the database . . . analyzes component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generates a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a computer program embodied on a computer readable medium for maintaining at least one component, as is recited in Claim 19. More specifically, neither Gonyea nor the Examiner's Official Notice, considered alone or in combination, describes nor suggests a computer program that receives, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with a pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished,

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determining services to be performed, determining risks associated with the event, and computing the costs and prices based the determined factors. The Examiner's Official Notice merely describes that prompting a user to enter general data is old and well known in the art of database management.

Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Gonyea in view of the Examiner's Official Notice.

Claims 24 and 25 depend from independent Claim 19. When the recitations of Claims 24 and 25 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claims 24 and 25 likewise are patentable over Gonyea in view of the Examiner's Official Notice.

Moreover, in contrast to the assertions in the Office Action, Applicants respectfully submit that it would not have been obvious to one skilled in the art to combine the teachings of Gonyea with the findings of the Official Notice to arrive at the present invention. More specifically, Applicants submit that Gonyea teaches away from the present invention. If art "teaches away" from a claimed invention, such a teaching supports the nonobviousness of the invention. U.S. v. Adams, 148 USPQ 479 (1966); Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d 1923, 1927 (Fed. Cir. 1990). In light of this standard, it is respectfully submitted that the cited art, as a whole, is not suggestive of the presently claimed invention. More specifically, Gonyea is directed to a multi-step logical function to determine costs and prices by using a detailed schedule having a plurality of variables. As such, one of ordinary skill in the art would not look to Gonyea, which uses a multi-step logical function, to arrive at the presently pending claims, which recite that "the costs . . . are determined *using pre-stored costs* related to the pre-identified component" (emphasis added). The Examiner's Official Notice is directed to prompting a user to enter general data. Accordingly, Applicants respectfully submit that the cited art as a whole teaches away from the claimed invention.

Furthermore, with respect to Claims 16 and 25, on pages 15 and 17 of the Office Action, the Examiner alleges that "[the accessing a predetermined on-line catalog using the frame size and combustion type] are only found to be non-functional descriptive material and are not functionally involved in the steps recited." It is further alleged that "[t]he accessing of the identified data would be the same regardless of the type of identification used to find it. Thus, this descriptive material will not distinguish the claimed invention from the prior art in

terms of patentability." However, Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection.

MPEP 2106.01 states that "'[n]onfunctional descriptive material' includes but is not limited to music, literary works, and a compilation or mere arrangement of data," and that nonfunctional descriptive material that has a functional and structural interrelationship with other claimed aspects of the invention is statutory subject matter. Further, "[t]he presence of the claimed nonfunctional descriptive material is not necessarily determinative of nonstatutory subject matter." The Federal Circuit has stated:

> [w]hat is required is the existence of *differences* between the [claims] and the prior art sufficient to establish patentability. The bare presence or absence of a specific functional relationship, without further analysis, is not dispositive. Rather, the critical question is whether there exists any new unobvious functional relationship between the printed matter and the substrate. (Emphasis in original).

In re Gulack, 217 USPQ 401, 404 (Fed. Cir. 1983). Further, the MPEP, at 2106.01, instructs USPTO personnel to "consider all claim limitations when determining patentability of an invention over the prior art," and to "be prudent in applying the [nonfunctional descriptive material rejection] guidance."

It is the Examiner's burden to establish the absence of a novel, nonobvious functional relationship to produce a *prima facie* case of unpatentability. In re Lowry, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994). Applicants respectfully submit that the Examiner has not established the absence of a novel, nonobvious functional relationship between the recitations of Claim 16 and the network based system for maintaining at least one component, nor between the recitations of Claim 25 and the computer program embodied on a computer readable medium for maintaining at least one component.

Applicants further respectfully submit that the recitations of Claim 16 are functionally and structurally interrelated to the other claimed aspects of the invention. More specifically, the recitations with respect to a server system configured to access a predetermined on-line catalog using a frame size and combustion type, wherein the catalog includes new parts costs, parts repair costs, and part expected life, are interrelated with the network based system for maintaining at least one component, as is recited in Claim 10, from which Claim 16 depends. A server system configured to access a predetermined on-line catalog using a frame size and

combustion type is functionally and structurally related to a network based system for maintaining at least one component.

Applicants further submit that the recitations of Claim 25 are functionally and structurally interrelated to the other claimed aspects of the invention. More specifically, the recitations with respect to a code segment that accesses a predetermined on-line catalog using a component frame size and combustion type, wherein the catalog includes new parts costs, parts repair costs, and part expected life, are interrelated with the computer program embodied on a computer readable medium for maintaining at least one component, as is recited in Claim 19, from which Claim 25 depends. A code segment that accesses a predetermined on-line catalog using a component frame size and combustion type is functionally and structurally related to a computer readable medium for maintaining at least one component.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 15, 16, 24, and 25 be withdrawn.

The rejection of Claims 17 and 26 under 35 U.S.C. § 103(a) as being anticipated by Gonyea is respectfully traversed.

Gonyea is described above.

Claim 10 recites a network based system for maintaining at least one component, said system comprising "a client system . . . a centralized database for storing information . . . a server system configured to be coupled to said client system and said database, said server system further configured to . . . receive, at the database, component operational history data and component inspection data from a user for a pre-identified component . . . receive, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompt a user to input a pre-determined component operational forecast into the database . . . analyze component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generate a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

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Gonyea does not describe nor suggest a network based system for maintaining at least one component, as is recited in Claim 10. Specifically, Gonyea does not describe nor suggest a server configured to receive, at a database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and computing the costs and prices based the determined factors.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 10 is patentable over Gonyea.

Claim 17 depends from independent Claim 10. When the recitations of Claim 17 are considered in combination with the recitations of Claim 10, Applicants respectfully submit that dependent Claim 17 likewise is patentable over Gonyea.

Claim 19 recites a computer program embodied on a computer readable medium for maintaining at least one component, said program comprising a code segment that receives, at a database, component operational history data and component inspection data from a user for a pre-identified component and then "receives, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component . . . prompts a user to input a pre-determined component operational forecast into the database . . . analyzes component maintenance information including component inspection data and at least one of component operational history data, replacement part costs, part repair costs, vendor service costs, and component operational forecast . . . and automatically generates a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis."

Gonyea does not describe nor suggest a computer program embodied on a computer readable medium for maintaining at least one component, as is recited in Claim 19. Specifically, Gonyea does not describe nor suggest a computer program that receives, at a

database, costs including at least one of component replacement part costs, component part repair costs, and vendor service costs, wherein the costs are associated with a pre-identified component and are determined using pre-stored costs related to the pre-identified component. Rather, in contrast to the present invention, Gonyea describes a system that computes costs and prices associated with an event by determining parts to be purchased, replaced, repaired, and/or refurbished, determining services to be performed, determining risks associated with the event, and computing the costs and prices based the determined factors.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 19 is patentable over Gonyea.

Claim 26 depends from independent Claim 19. When the recitations of Claim 26 are considered in combination with the recitations of Claim 19, Applicants respectfully submit that dependent Claim 26 likewise is patentable over Gonyea.

Moreover, in contrast to the assertions in the Office Action, Applicants respectfully submit that it would not have been obvious to one skilled in the art to modify the teachings of Gonyea to arrive at the present invention. More specifically, Applicants submit that Gonyea teaches away from the present invention. If art "teaches away" from a claimed invention, such a teaching supports the nonobviousness of the invention. U.S. v. Adams, 148 USPQ 479 (1966); Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d 1923, 1927 (Fed. Cir. 1990). In light of this standard, it is respectfully submitted that the cited art, as a whole, is not suggestive of the presently claimed invention. More specifically, Gonyea is directed to a multi-step logical function to determine costs and prices by using a detailed schedule having a plurality of variables. As such, one of ordinary skill in the art would not look to Gonyea, which uses a multi-step logical function, to arrive at the presently pending claims, which recite that "the costs . . . are determined *using pre-stored costs* related to the pre-identified component" (emphasis added). Accordingly, Applicants respectfully submit that the cited art as a whole teaches away from the claimed invention.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 17 and 26 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,
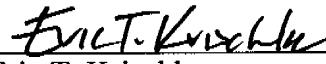
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